THE HON'BLE MR. JUSTICE V.V.S. RAO

THURSDAY, THE 15TH DAY OF DECEMBER, 2005

W.P.No. 26358 of 2005

Between:-

Editors Federation (Andhra Pradesh, Jurisdiction), rep., by its President Mr. A. Samad Osamani, Hyderabad

--Petitioner

And

The Commissioner, Municipal Corporation of Hyderabad

--Respondent

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W.P.No. 26358 of 2005

:O R D E R:

Editors Federation, represented by its President, filed the writ petition to issue a writ of Mandamus directing the respondent viz., The Commissioner of Municipal Corporation, Hyderabad to grant permission to the petitioner to clean wastage in the land comprising in survey No. 128/1 of Yousufguda, Hyderabad.

It is the case of the petitioner- Federation that an extent of 67213 square meters in survey No. 128/1 of Yousufguda, Hyderabad was acquired by the Government by a notification dated 25-03-1992, that the petitioner made a representation to the District Collector, Hyerabad on 11-10-2004 for allotment of the land as house sites to the members of the petitioner-Federation, that the same is pending and that in the meanwhile the employees of the respondent-Corporation are storing and throwing wastage by bringing lorries into the vacant land. Therefore, the present writ petition is filed.

Going by the relief whether the petitioner seek a direction to the respondent-Corporation to grant permission to the petitioner to clean the wastage in the land in survey No. 128/1, this Court directed the learned Assistant Government Pleader, Revenue (General) to get instructions in the matter as it was submitted by the learned standing counsel that the land is in possession of the Revenue department.

After getting instructions, learned Assistant Government Pleader submits that the land in survey No. 128/1 co-relate to T.S.No.1, Block-C, Ward-8 of Yousufguda village is declared as surplus vacant land under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976, that number of persons filed writ petitions claiming the said land, which are pending and that the land in question has already been proposed for establishment of a ryot bazaar. He also submits that the

representation made by the petitioner's President to the Hon'ble Chief Minister of Andhra Pradesh is pending and that a report dated 02-02-2005 had already been sent to the District Collector in this regard.

After hearing the learned Assistant Government Pleader, this court is convinced that the petitioner-Federation is trying to get possession by seeking a direction to the respondent for permission to clean the wastage. The allegation that the respondent is using the land as a dumping ground is denied by the learned counsel for the respondent.

The writ petition is misconceived and is accordingly dismissed. No costs.

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V.V.S. RAO, J

15-12-2005

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